

2010-Or-____

**AN ORDINANCE
of the
CITY OF
MINNEAPOLIS**

By Schiff

**Amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances
relating to Housing: Maintenance Code.**

The City Council of The City of Minneapolis do ordain as follows:

That Section 244.275 of the above-entitled ordinance be amended to read as follows:

244.275. Tenant to be notified of arsenic testing, removal and remediation in South Minneapolis Neighborhood Soil Contamination Site. (a) For the purpose of this section, the "South Minneapolis Neighborhood Soil Contamination Site" shall mean the area of South Minneapolis that has been or shall in the future be designated by the United States Environmental Protection Agency for testing, removal and/or remediation of arsenic contamination from residential properties.

(b) Any person allowing to be occupied or letting or offering to let to another for occupancy any dwelling unit located in the South Minneapolis Neighborhood Soil Contamination Site area shall provide to the tenant or lessee copies of all written or electronic information received from the United States Environmental Protection Agency (USEPA) or its agents or contractors concerning arsenic testing results, and removal or remediation activities pertaining to the leased premises. Additionally, any such person shall facilitate, cooperate with and permit the USEPA or its agents or contractors to perform any lawful testing, cleanup, removal or remediation activities at such property as deemed reasonable and necessary by the USEPA. Violation of this section shall constitute good cause for adverse license action pursuant to section 244.1910.

(c) Information regarding environmental testing, removal and remediation required to be provided under this section shall be provided to the tenant or lessee at each of the following times:

- (1) Within thirty (30) days after the effective date of this section;
- (2) Within thirty (30) days of receiving new information from the USEPA or its agent or contractor; and

- (3) Prior to signing a lease for the premises or prior to agreement upon a tenancy, if no lease is provided.

(d) The property owner or the owner's representative shall retain an arsenic notification advisory in a format prescribed by the City of Minneapolis, stating that the property owner has complied with all notification requirements under this section, the dates of compliance, and the signature of the tenant or lessee attesting to compliance. If there is a contract or lease for the tenancy, the arsenic notification advisory must be attached thereto.

- (1) The property owner shall provide a copy of the Arsenic Notification Advisory to the department of inspections upon request of the director of inspections or their designee.

(e) Within ninety (90) days of the date of the last Environmental Protection Agency cleanup in the South Minneapolis Soil Contamination Site, Environmental Services will develop a recommendation on whether to sunset or alter this section.